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February 26, 2010

Via ECFS

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, S.W., Suite TW-A325
Washington, DC 20554

**Re: EB Docket No. 06-36 – Annual CPNI Compliance Certification of
Aircell Business Aviation Services LLC**

Dear Secretary Dortch:

Aircell Business Aviation Services LLC, pursuant to Section 64.2009(e) of the Commission's rules, hereby submits the attached Annual Customer Proprietary Network Information ("CPNI") Certification, together with an accompanying explanatory statement.

Consistent with the requirements of the *FCC Enforcement Advisory* issued January 15, 2010 (DA 10-91) in the above-referenced proceeding, one copy of this filing is being transmitted to the Commission's copy contractor, Best Copy and Printing, Inc.

Please address any questions concerning this submission to the undersigned.

Respectfully submitted,

/s/ David L. Martin

David L. Martin
Counsel to Aircell Business Aviation Services LLC

cc: Best Copy and Printing, Inc.

AIRCELL BUSINESS AVIATION SERVICES LLC

Annual 47 C.F.R. § 64.2009(e) CPNI Certification

EB Docket 06-36

Annual 64.2009(e) CPNI Certification for 2010 covering the prior **calendar year 2009**.

Date filed: **February 26, 2010**

Name of company covered by this certification: **Aircell Business Aviation Services LLC**

Form 499 Filer ID: **822226***

Name of signatory: **Marguerite Elias**

Title of signatory: **Secretary**

I, Marguerite Elias, certify that I am an officer of the company named above, and acting as an agent of the company, that I have personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the Commission's CPNI rules.

See 47 C.F.R. § 64.2001 et seq.

Attached to this certification is an accompanying statement explaining how the company's procedures ensure that the company is in compliance with the requirements (including those mandating the adoption of CPNI procedures, training, recordkeeping, and supervisory review) set forth in section 64.2001 *et seq.* of the Commission's rules.

The company has not taken any actions (*i.e.*, proceedings instituted or petitions filed by a company at either state commissions, the court system, or at the Commission) against data brokers in the past year.

The company has not received any customer complaints in the past year concerning the unauthorized release of CPNI.

The company represents and warrants that the above certification is consistent with 47 C.F.R. § 1.17 which requires truthful and accurate statements to the Commission. The company also acknowledges that false statements and misrepresentations to the Commission are punishable under Title 18 of the U.S. Code and may subject it to enforcement action.

Signed: 

Marguerite Elias
Secretary

Aircell Business Aviation Services LLC
1250 N. Arlington Heights Road, Suite 500
Itasca, IL 60143

* This Form 499 Filer ID number was transferred from Aircell LLC to Aircell Business Aviation Services LLC in 2008, subsequent to the assignment of the telecommunications services business (not involving any licenses) from Aircell LLC to Aircell Business Aviation Services LLC on June 13, 2008.

Aircell Business Aviation Services LLC
Explanatory Statement Regarding
CPNI Compliance

Aircell Business Aviation Services LLC ("Aircell") is a specialized reseller of satellite telecommunications services to the general aviation market. Aircell has a limited customer base of approximately 5,000, most of which are independent corporate and fractional aircraft owners/operators.

Aircell does not use CPNI for marketing purposes, nor does Aircell disclose or permit access to CPNI to third parties for marketing purposes. Therefore, requirements contained in the CPNI rules relating to the process for obtaining customer consent for the use of CPNI for marketing purposes (as well as the recordkeeping and supervisory review requirements associated with outbound marketing campaigns) are not applicable to Aircell. Should Aircell change its policies in the future, it will ensure that the appropriate procedures are in place for obtaining customer consent.

Aircell provides adequate safeguards to protect against the unauthorized release of CPNI. Access to CPNI is not provided in person, as Aircell does not have retail stores. CPNI is not released in response to customer-initiated telephone calls until the customer has been properly authenticated. No call detail information is released in response to customer-initiated telephone calls, although Aircell representatives will discuss call detail information that is first provided by the customer. Otherwise, requests for call detail information are satisfied by contacting the authorized account representative at the telephone number or address (including e-mail address) of record. Online access to CPNI is available only through the use of customer-generated passwords, for which Aircell does not prompt the use of biographical or account information. The authorized account representative is notified whenever there has been a change to a password or to account details (e.g., account address).

Aircell has not experienced any known breaches of CPNI to date. However, Aircell is aware of its obligation to report any breaches to law enforcement agencies via the breach reporting facility located at <https://www.cpnireporting.gov/>. Aircell further understands that it may not notify the affected customer for seven days after reporting the breach. Aircell will retain for two years records relating to any discovered breaches.

Aircell takes seriously its obligation to safeguard CPNI. Aircell has trained its employees with access to CPNI on the limited purposes for which they are authorized to use CPNI, and on the critical importance of adequately protecting CPNI from misuse or unauthorized disclosure. It is Aircell policy that any employee who fails to follow Aircell policies and procedures with regard to CPNI will be subject to disciplinary action.